

J.R.(J) (Budget)

May kindly see the online application of Sri Harihar Gupta, Nyayadhikari, Gram Nyayalaya, Kiravali-Agra regarding information about purchase as well as gifting of Honda Amaze car by his father to the officer, intimated through his application dated. 08.08.2020.

The information regarding purchase of car as required under Court's Circular Letter No. 25/ Admin (A) dated 13.07.1998 as furnished by the officer is given below:-

1	Date of joining service	16/11/19
2	Present Gross Salary Take home Salary	Rs. 84,348/- Rs. 77,998/-
3	Details of purchases (Moveable property exceeding to value of Rs. 10,000/- and immovable property) made by the officer earlier	None
4	Details of Advance or Loan taken from the High Court.	Nil
5	Details of loan taken from Bank etc.	Nil
6	Details regarding purchase of second hand car.	N.A.

7	(a) Details of the property purchased	New Honda Amaze car purchased on 06.07.2020, allotted reg. no. DL3CCS4874. Note- The said car is stated to have been purchased by the father of the officer, Sri Sarvesh Kumar Gupta in the name of his son (i.e. officer) as gift (copy of 'Consent letter' of his father as well as invoice has been submitted by the officer as attachment).
	(b) Cost price	Rs. 8,70,000/-
8	Name and address of the seller(s)	Axon Automotives Pvt. Ltd., A-27, main Mathura road, Mohan co-operative, Sarita Vihar, New Delhi.
9	Status of the Seller / Dealer	Regular & reputed
10	Whether the seller is related to the officer in any manner and whether any case against him is pending/decided by the officer.	No
11	Details of source of amount	1. The father of the officer Sri Sarvesh Kumar Gupta is stated to have made the gift of amount of Rs. 8,65,000/-from which the car is purchased. Amount is paid to the registered dealer directly through A/c payee cheque no. 000791 out of his father's A/c no. 098001501218, ICICI, New Delhi. This amount is stated to have been made by his father out of natural love & affection without any consideration. (copy of bank e-statement of his father has been submitted by the officer as

		<p>attachment).</p> <p>2. Rs. 5,000/- is stated to have been payed as initial booking amount by the officer through BHIM APP Ref. ID-016413297796 bharatpe 9100499714 through his SBI A/c no. 30752357702 in favour of Axon Automotives, New Delhi (Copy of receipts can be seen as attachment).</p> <p>Note: Sri Sarvesh Kumar Gupta (officer's father) has been retired as former Judge, High Court of Uttarakhand & has gifted the aforementioned car to his son.</p>
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The relevant rule relating to gift (Rule 11 of the U.P. Government Servant's Conduct (Amendment) Rules, 1998) and relating to transfer of immovable property [Rule-24 (1) of U.P. Government Servant's conduct Rule-1956] runs as under: -

11. Gifts:- *A government servant shall not without previous approval of Government :-*

(a) Accept directly or indirectly on his own behalf or on behalf of any other persons, or

(b) Permit any member of his family who is dependent on him, to accept

Any gift, gratuity or reward from any person other than a close relative.

In view of the above, the information so submitted by the officer is likely to be acceptable, as the car has been gifted to him by his father, which is the closest blood relative.

In this connection it is submitted that the Rule-24 (2) of U.P.

Government Servants Conduct (Amendment) Rules, 1998 relating to transfer of such item, is as follows: -

“A Government servant who enters into any transaction concerning any movable property exceeding in value, the amount of his basic pay for one month, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the appropriate authority;

Provided that no Government servant shall enter into any such transaction except with or through a reputed dealer or agent of standing, or with the previous sanction of the appropriate authority.”

Under the facts & details mentioned above and as the officer has purchased the car from a regular & reputed dealer, if approved, the matter may kindly be laid before Hon'ble Mr. Justice Ali Zamin, Nominated Judge for disposal of the matters of Judicial Officers, of information/ permission of sale/ purchase of movable/ immovable property or gift etc. for the District Agra, for His Lordship's kind perusal and information under Rule 24 (2) U.P. Government Servant's Conduct Rules, 1956?

Munmun Narang R.O.

Mohd. Arshad A.R.

23.02.2021

Hon'ble Mr. Justice Ali Zamin,

Nominated Judge

Submitted for kind perusal & order

Joint Registrar (J) (Budget)